

SUPERVISOR'S CORRECTIVE ACTION MANUAL



City of Cincinnati
Department of Human Resources

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Introduction

This Supervisor's Corrective Action Manual has been prepared to assist you in understanding the City's corrective action process. It contains basic information that will help you use the system in a fair and consistent manner. It is also intended to acquaint you with the City's philosophy regarding the corrective action process.

Your comments, questions, and suggestions are always welcome. Indeed, they are needed to keep this publication up-to-date and effective. Please direct them to:

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As you use this handbook, keep in mind that there are many sources of help available to you. You can obtain assistance from your supervisors, your agency personnel staff, various publications such as the Civil Service Rules, and the Department of Human Resources.

Discipline and Corrective Action

Traditionally we have used the terms "discipline" and "corrective action" more or less interchangeably. This is not actually the most descriptive or accurate way of referring to these concepts.

Discipline can be punitive but is more accurately defined as "Training intended to produce a specified character or pattern of behavior." True discipline is self-discipline, which comes from within the person.

The goal of the City of Cincinnati is to provide excellent quality public service for the citizens of the City and the users of our services. In accomplishing this we strive to follow the rules, work well with the public and coworkers, work efficiently, and contribute to good job performance. So long as everyone works to accomplish the City's goal, all is well.

When employee behavior departs from the standard or norm expected, corrective action becomes necessary. Corrective action is the term for what used to be called discipline. Corrective action is the last option to get employee behavior back within the norm established by the City.

Classified public employees are unique in that they have specific legal rights established by law. These rights cannot be violated or the proposed corrective action may not be effective or even allowed. It is critical that you as a supervisor know and respect these rights and follow the proper procedures. This handbook deals with the proper methods and procedures to be used when using corrective action.

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The Corrective Action Policy

It is the policy of the City of Cincinnati to CORRECT inappropriate employee behavior in a TIMELY and APPROPRIATE manner.

The Corrective Action Process

The corrective action process is an important management tool. It ensures that organizational goals are met. It is used to maintain performance standards. Corrective action is constructive. It consciously attempts to upgrade employee performance and to modify inappropriate behavior. The stress is on the employee's performance or behavior, rather than on the employee's character or personality. It is not personal, it's business.

The Official Reasons for Using the Disciplinary Process

Ohio Civil Service law, as well as the local Civil Service rules, state several official reasons for using the corrective action process. Those reasons are:

(1) Inefficiency

"Inefficiency" means a wasting of time, energy, or materials. It refers to the quantity or amount of an employee's performance. Inefficiency should be a more common cause for progressive corrective disciplinary action. This is because inefficiency is usually easy to measure.

(2) Incompetency

"Incompetent" means incapable, unqualified, or inadequate. It refers to the quality of an employee's performance. The employee may lack the necessary skills to perform the job. He may perform well, but not often enough. The employee may not be performing as well as he once did. His performance may be lacking the necessary quality expected.

It is rare that an employee is disciplined for incompetence. The exceptions most often occur during the probationary period.

(3) Dishonesty

"Dishonesty" means untrustworthy, lacking honesty, gained by falseness. Examples of dishonesty are such things as: theft of money or materials, fraudulent reporting of time, or even a presentation of facts designed to create a false conclusion. A charge of dishonesty is one of the most serious charges that can be brought against a City employee. An act of dishonesty violates the public trust.

(4) Insubordination

"Insubordination" means refusal to follow the lawful orders or directives of a proper authority. It is

important to let an employee know that the failure to follow a lawful order will result in insubordination to give them a chance to obey the order. If they still refuse to obey the order, then charge them with insubordination. An example of insubordination is a truck driver who refuses to take his truck out when it snows, despite being lawfully ordered to do so.

(5) Neglect of Duty

“Neglect of Duty” means a failure to perform a duty or responsibility required of a position. For example: An employee fails to lock a building for which he is responsible. He would be guilty of neglect of duty in failing to secure the building.

(6) Failure of Good Behavior

“Failure of Good Behavior” covers a variety of behaviors. Some examples are: a conviction for a criminal charge, discourteous treatment of the public, an accumulation of minor infractions of rules and regulations within a short period of time. A failure of good behavior may also occur off the job. If so, it must affect the employee’s ability to perform the job or the public’s confidence in the employee’s ability before it would be subject to disciplinary action.

(7) Substance Abuse

“Substance Abuse” means a use of drugs or alcohol that adversely influences an employee’s performance, endangers his own health and safety, or endangers his co-workers or the general public. Examples of substance abuse would be the use of drugs or alcohol on the work site, or reporting for work under the influence of drugs or alcohol.

(8) Excessive Absenteeism

“Excessive Absenteeism” is used when an employee has unexcused absences from the job. Employees are expected to be at work when scheduled. Failure to report when scheduled may result in a charge of Excessive Absenteeism.

(9) Violation of the Civil Service Rules/ Civil Service Law/ Code of Ethics

“Violation of the Civil Service Rules/ Civil Service Law/ Code of Ethics” means a willful violation of the rules of the Civil Service Commission. It also includes a willful violation of applicable sections of the State Civil Service Law or a breach of the Code of Ethics. For example: an employee is caught cheating on a Civil Service examination. Not only is the employee excluded from the exam, but also he is guilty of a violation of Civil Service Rules.

An employee may be the subject of the disciplinary process for more than one reason. For example, a person charged with dishonesty may also be guilty of failure of good behavior.

The Key to Understanding the Corrective Action Process

In most situations, the corrective action process begins and ends with clear communication between a supervisor and the employee. Communication is the key to solving day-to-day work problems. Clear, timely, constant, and consistent communication can help prevent minor incidents from becoming major problems. A supervisor should clearly and regularly inform staff members of their work responsibilities. He should ensure that they are adequately oriented and trained. He should provide follow-up and regular feedback. It cannot be assumed that staff members know what is expected of them unless they have been told. "I didn't know I was supposed to do that!" is often heard from employees charged with on-the-job misconduct.

It is important for the supervisor to keep communication open with his employees. He should meet with each one on a regular basis. The supervisor should discuss and clarify the goals, objectives, and performance standards he expects the employee to meet.

The supervisor must listen carefully. He must make sure that the employee really understands what he expects. It is also important for the supervisor to ask the employee what he expects from the supervisor. Many supervisors are surprised by the answers they receive.

Some supervisors discuss projects at the beginning or end of each. Others meet weekly with each employee. A successful supervisor makes sure that he and his employees are in agreement about what is expected on the job. He never assumes that an employee completely understands what he wants from him just because he told him what to do. He follows-up with questions, examples, or demonstrations, if necessary.

How Does the Supervisor Apply the Corrective Action Process?

The supervisor is the key element in the successful application of the corrective action process. The purpose of corrective action is not to make up for sloppy supervisory techniques or actions. The purpose is to help an employee modify inappropriate actions or behavior.

It is not the job of the supervisor to change the personalities of his employees. It is his job to maintain efficient, competent performance from his employees. Use of the corrective action process should be governed by these principles:

1. Corrective action should not be a surprise.

Give warning for a potential disciplinary action. Supervisors should give clear warning of those actions that will result in corrective action. It is necessary to follow through when inappropriate behavior occurs. Advance warning of corrective action is essential for employees to consider corrective action to

be fair.

2. Corrective action should be started as soon as possible after the incident occurs.

To be effective, the corrective action must be clearly associated with the incident. Beware of long delays. Otherwise, the employee will tend to associate the corrective action with the supervisor rather than with the incident.

3. Corrective action must be consistent.

Consistent corrective action is essential to maintaining a stable work environment. Dissatisfied employees often complain that supervisors are either too “soft” with some employees or are too “hard” with corrective action with others. Or, they say that supervisors are too “hard” on minor issues and too “soft” on major problems. Employees also use this as an argument for reducing penalties. Consistent corrective action is basic to good management practices and can lead to employee acceptance of corrective actions taken.

4. Corrective action should be reasonable and timely.

The corrective action should be clearly linked to the problem and begun as soon as the supervisor becomes aware of the problem.

5. Corrective action should be imposed as impersonally as possible.

It is natural for affected employees to feel hurt and resentful when they are subject to corrective action. But corrective action will be most effective and have the least negative effect on employees if they feel their behavior is the only thing being criticized. Only the behavior should be subject to corrective action, not the employee’s personality.

What Reference Materials Does the Supervisor Need?

As a supervisor, you should be familiar with the following publications:

- 1) Human Resources Policies and Procedures
- 2) Civil Service Rules
- 3) Union Contracts (AFSCME, Building Trades, CODE, Fire Fighters, and Police)
- 4) Administrative Regulations of the City Manager
- 5) Bulletins from your department/division governing agency policies, operating procedures, rules and regulations

These publications are valuable reference materials. Familiarize yourself with their contents and organization. As a supervisor, you are responsible to communicate the applicable provisions of all of these publications to your employees.

If your agency, or work site, has a lot of unwritten rules, you may find it necessary to put those rules into writing. If you expect all of your employees to follow common sense (often unwritten) regulations, do not be surprised if one of your employees does not have the “common sense” to know that the regulations exist. A new, or newly transferred, employee cannot be expected to instantly understand what the work standards will be on the new work site. If the work standards are not in writing, the employee may never learn all of them, until he makes the mistake of breaking one of them. Of course, everything need not be put into writing. But, if you think an issue is important enough to be a probable subject of discipline, you should have that issue clearly defined in writing.

How To Investigate and Document the Facts?

Before taking any corrective action, the supervisor should make as complete an investigation as possible. As a minimum, this investigation should include the following:

- 1) Date, time and location of the occurrence(s).
- 2) Behavior or performance evidenced by the employer.
- 3) Consequences (results or effects) of the employee’s actions or behavior on the employee’s performance and operations of the work unit.
- 4) Names of any witnesses or other employees/citizens involved in or affected by the incident.

Documentation should include all of the above, and:

- 1) Response of the supervisor to the incident(s).
- 2) Employee’s reaction to the supervisor’s attempts to correct the situation.

And, it should answer the following questions:

- 1) Did the employee, in fact, actually violate an official rule, regulation, order or standard of the City? Does this situation call for an administrative hearing? Is the supervisor sure that the violation is serious? Can the situation be handled early enough to avoid using the formal corrective action process?
- 2) Did the employee know about the specific rule violated? If not, why not? Was that rule published in writing? Did the supervisor tell the employee about that rule before the violation of the rule?
- 3) Has the supervisor enforced the rules and procedures equally and fairly in the past? Do all employees recognize what would happen if the rules are violated?
- 4) Do the facts indicate that the employee is guilty of the offense? Do the facts indicate that the employee did it deliberately? Does it appear that the employee was careless of the rule?

5) Were there any circumstances that may help explain the employee's actions? Was the situation unavoidable? Was there a genuine emergency? Was there an obvious misunderstanding? Was it an accident?

Complete investigation and accurate documentation of the charge is absolutely necessary. Preserve any physical evidence, relevant personal notes or correspondence, personnel records, attendance records, or damage reports. Talk to the employee. Take notes. While this complete documentation may not be required at a possible administrative hearing, it may be required to support the disciplinary action in a hearing before the Civil Service Commission or the courts.

The need for accurate and complete documentation really cannot be overemphasized. It is important to show clearly that the alleged violation did indeed occur and that it was dealt with in a reasonable and timely manner. Appropriate documentation also assists in determining the appropriate penalty to be assessed and shows the progressive nature of the corrective action process. For example, it is a supportable act to suspend an employee for excessive tardiness if several previous reprimands and documented instances of tardiness are presented. In such a case the employee cannot claim to have been unaware of the problem.

Interview the employee about the problem. This is an essential part of the investigation of the situation. This interview should be conducted in private as soon as possible after the alleged occurrence. It is advisable to have another member of management present as a witness during this interview. The employee should be encouraged to fully explain the situation and any circumstances relevant to it.

During the interview, DO NOT attempt to modify the employee's behavior through counseling. Your attempts may be considered corrective action and could preclude future corrective action for this situation.

The purpose of the investigation is to gather all of the relevant facts. It is not to harass or persecute an employee. Ask "who, what, when, where, and why" questions. Listen to what the employee has to say. Review the employee's past performance record. Consider any mitigating circumstances. Record the facts.

CORRECTIVE ACTION CHECKLIST

BACKGROUND

Are you sure that the employee was properly informed and knew the applicable rule(s)?

Have you had a similar problem with the employee before?

Do you know how the employee was informed of the work rule or standard?

INVESTIGATE THE SITUATION

Conduct the investigation as soon as possible after the incident.

- Consider ALL of the facts, not just selected ones or facts that suit your conception of the situation
- Do not jump to conclusions based on what someone said or because of similar situations you have encountered in the past.

Document the incident as completely as possible. Safeguard all relevant records and documents. Take photographs of the incident site, damage to property and equipment. Obtain police and fire reports, arrest records, and court reports.

Interview employees and citizens who have knowledge of the occurrence. Obtain their names, addresses, phone numbers. Obtain written statements from witnesses including other employees. This should be obtained as soon as possible after the incident has occurred. Waiting clouds memory in many situations.

Determine exactly what specific violations occurred.

Organize the information in a coherent manner. Keep notes of your investigation including the interviews and statements you obtained.

INTERVIEW THE EMPLOYEE

Have you gathered ALL of the relevant facts?

Are you conducting the interview in a private location, out of hearing or sight of others?

Do you have a management witness available?

Do not be sarcastic, rude, or accuse the employee.

Do be calm, deliberate, and thoughtful. Pay attention to what the employee says and his demeanor.

Does the employee appear truthful? Is the explanation reasonable and rational?

Explain the purpose of the interview. Encourage the employee to fully and completely explain the incident, any related circumstances, and other relevant facts.

Do not argue with the employee or debate the situation. You are charged with gathering facts and obtaining the employee's response.

Listen carefully, and ask questions. Ask questions using "who, what, when, where, and why."

Explain the possible violation to the employee. Make sure that the employee understands the possible

violation. This is important so that the employee may provide the best response.

DO NOT attempt to modify the employee's behavior through counseling. Your attempts may be considered corrective action and could preclude future corrective action for this situation.

Important Note: AN EMPLOYEE IN A BARGAINING UNIT IS ENTITLED, UNDER STATE LAW, TO REPRESENTATION FROM THEIR UNION DURING A CORRECTIVE ACTION INTERVIEW. IF AN EMPLOYEE REQUESTS SUCH REPRESENTATION, THE INTERVIEW MUST BE DELAYED UNTIL THE REPRESENTATIVE CAN ATTEND. THIS RIGHT MAY NOT BE USED TO UNREASONABLY DELAY AN INTERVIEW.

DEVELOP A COURSE OF ACTION

Review all of the material. This should include the interview notes, documents, records, photographs, and public records.

Determine what action you think is appropriate. This can include counseling, reprimand (verbal or written), or more serious action.

Consult with your supervisor, the agency personnel staff, and the Human Resources Department, as needed.

If the incident is determined to be minor:

- Develop a plan to correct the situation.
- Involve the employee in this process. You might also include the Union Steward if you think this might be helpful. It is the interest of the Union, as well as management, to correct problems before they become serious.
- Reduce the correction plan to writing and have the employee sign it.
- Obtain a commitment from the employee to improve.

Options Available to the Supervisor

Once a thorough and complete investigation has been made, determine a course of action. Several options are available to supervisors:

(1) PEAP Referral

The employee may be referred to the Public Employees Assistance Program (PEAP). This is not considered corrective action, but may be used to help an employee modify behaviors that could lead to corrective action. This program provides confidential counseling designed to assist employees with personal, financial, or substance abuse problems. The employee may voluntarily refer himself to PEAP.

The agency or the supervisor may also make a mandatory referral.

If the referral is a mandatory one, summary reports of the employee's progress are given to the agency, but actual client interaction with the PEAP counselor is kept confidential. Use of the PEAP program has proven very beneficial both to the City and the employee. It is always to the City's advantage to assist the employee in modifying behavior and returning as a productive member of the workforce. The use of the PEAP program is strongly encouraged whenever possible. Some employees may not be cooperative with PEAP. An employee who fails to complete the program outlined by the PEAP staff will be considered terminated from the program. The supervisor should then decide whether corrective action is warranted.

(2) Use of Mild Corrective Measures:

a) An employee may be given a verbal reprimand. This is the mildest form of corrective action. It is important to remember that a verbal reprimand is spoken and may not be in writing. Otherwise, it really is a written reprimand. You should keep documentation of a verbal reprimand in your personal working files. You may not keep such a note in an employee's official file. When you give a verbal reprimand, be sure that you use the words "verbal reprimand" or "oral reprimand". State the specific offense for which it is being given. An example is included in Appendix 1.

b) An employee may be given a written reprimand. A written reprimand is given on the standard form (Form 66-S) with copies given to the employee, the City's Department of Human Resources, the supervisor, and the agency head. (Appendix 2) A written reprimand is the second mildest form of corrective action. It is intended to assist the employee in correcting his or her conduct or efficiency. Employees who are represented by a City-recognized union may have a reprimand removed from their file after a period of time. Also, various bargaining unit members have specific time frames on which corrective action must be issued. Please consult the specific labor agreement for current information.

All of the corrective measures noted above may be initiated by the supervisor without an administrative hearing and without an official employee representative. It is expected that the supervisor taking such actions inform his/her own supervisor of the proposed action so that adequate coordination is obtained. Any written reprimand given to a bargaining unit member may have other requirements for service to parties other than the employee. Please consult the specific labor agreement for current information.

(3) Use of the Corrective Action Process:

If the problem is serious enough that it appears to merit corrective action more severe than a

written reprimand, the formal disciplinary process should be used. A classified City employee cannot be disciplined beyond a written reprimand unless his agency holds an administrative hearing. An administrative hearing will allow the employee to officially respond to the charge(s). There are specific time requirements relating to corrective actions taken against some bargaining unit employees. Please see the specific labor agreement for current information.

The supervisor bringing the charges should present the results of the investigation and the supporting documentation to the agency head or his representative for review. The agency head or his representative should review the information carefully to determine if the evidence appears to support that disciplinary action should be taken.

The agency head or his representative should become familiar with the facts and circumstances of the case. This familiarization may include interviews with the immediate supervisor and/or other employees involved in the incident, and consultation with the agency's personnel section.

The agency head should be fully informed and knowledgeable of the facts in the case before an administrative hearing is held. It is the agency head that officially decides if sufficient evidence exists to merit corrective action. An agency head may decide that the evidence is insufficient to support the charge(s) at this point.

The fact-finding and investigation should be done in a timely manner. One of the keystones of effective discipline is that it is directly related both temporally and causally to the situation demanding it.

How Is the Employee Notified About An Administrative Hearing?

If the agency head decides that sufficient evidence exists to support the charge, the supervisor or the agency head sends a Request for Pre-Disciplinary Hearing to the Department of Human Resources (Appendix 3). An agency representative must also contact Human Resources for the assignment of a Hearing Officer. Once assigned, the Hearing Officer will review the evidence and determine if a hearing is necessary or if the violation only merits some form of minor corrective action. If a hearing is necessary, the Hearing Officer will coordinate with the agency in the scheduling of an administrative hearing.

The employee must be formally notified of the charge(s). This is necessary even though the employee should be aware of the situation and may have been interviewed as part of the investigation process.

The employee should be formally notified by letter. An example of a notification letter is attached as Appendix 4. The letter must contain the following minimum information:

1. The date, time, and location of the administrative hearing.
2. A specific statement of the charge(s) including the date(s) and time(s) when the incident(s)

occurred (if applicable).

3. A statement that the employee has the right to have a representative at the administrative hearing. NOTE: Certain bargaining units have specific requirements for who may represent the employee. Please see the specific labor agreement for this information.

The purpose of this letter is to allow the employee to prepare a response to the allegations. It should contain specific enough information to insure that the employee knows the basis of the charges. Include specific dates, times, locations, etc. The notification letter must be sent at least five working days prior to the date selected for the administrative hearing. Bargaining unit employee's unions must receive copies of the notification letter as well. See the appropriate union contract for specific information.

What Happens in "Special Cases"?

In very rare cases, employees may be suspended without pay pending a hearing. In such cases the administrative hearing must be convened within five days of the start of the suspension. This time limit may be extended by mutual agreement of the agency and the employee only.

A "special case" is generally meant to be something very serious that would require the removal of the involved employee for the safety of the staff, the preservation of order, or for public policy reasons. An example of a special case would be fighting or physically threatening co-workers or the public. The purpose of this provision is not to penalize the charged employee but to protect the City, co-workers, and the public from harm. If the administrative hearing results in the dismissal of the charges, pay for the suspended time will be restored to the employee.

What Happens at an Administrative Hearing?

The next step in the corrective action process is the holding of the administrative hearing, also known as a "pre-disciplinary hearing". The administrative hearing is held before a Disciplinary Hearing Officer. The hearing officer has been trained to be knowledgeable regarding the pre-disciplinary hearing process and the applicable rules and regulations. The hearing officer is a neutral ear and usually does not work for the same department as the charged employee. This ensures that the hearing officer is not placed in a situation of potential conflict of interest regarding cases heard.

The hearing officer has received specialized training designed to assist him in conducting fair and purposeful inquiries. His major objective is to get at the facts of the matter and to allow the charged employee adequate opportunity to explain himself. The hearing officer is in complete charge of the conduct of the hearing and is responsible for making a recommendation for corrective action to the agency head.

The hearing officer may question witnesses and require relevant documents to be presented. He

may call additional witnesses, and determine what is relevant to the incident or issue in question.

It is important to remember that an administrative hearing is not intended to be a legal trial. It does not require an adversarial approach nor the presentation of legal evidence. The employee's right to "due process" does not formally begin until an appeal is presented before the Civil Service Commission after a disciplinary penalty is imposed as a result of the administrative hearing.

The employee is formally advised of the charges at the administrative hearing and is allowed to respond to the charge(s), call witnesses to support his contention, and offer mitigating evidence. Management should have completed its investigation and documentation before the administrative hearing is convened and the hearing officer should have been fully briefed. There is no requirement to present the management side of the case in depth at the administrative hearing. However, it is essential that the case be documented fully. This information will be required if the employee makes an appeal to the Civil Service Commission. The charging supervisor involved should be prepared to explain the basis for the charges and to answer questions from the hearing officer.

Recommending Corrective Action

The hearing officer will hear all of the relevant facts and insure that the charged employee has had a full opportunity to present his side of the case. After adjourning the meeting, the hearing officer will deliberate the facts and then make his recommendation to the agency head. It is the duty of the hearing officer to base the severity of any recommended penalty on the facts of the particular case. He should consider past disciplinary history, any mitigating circumstances, and the seriousness of the offense. The hearing officer may conclude that the charges are unfounded. He might decide that the number of charges should be reduced, or that they should stand as presented in the original letter to the employee. The hearing officer may not recommend an increase in the number of charges brought against the employee. There is no requirement that he must recommend a penalty.

The hearing officer will forward the recommended disposition of the case to the agency head for review and approval. The agency head may discuss the case with the hearing officer. The agency head may modify (reduce or increase) the recommended disposition. If the agency head does modify the penalty, he should provide in writing an explanation of the reasons for the modification. It is important to note that the penalty (if any) is still merely a recommendation. It is not official. Thus, there is no requirement to officially inform the employee of the recommended corrective action at this point. Opportunity still exists for the Appointing Authority (City Manager, the Board of Health, etc.) to further modify the recommended action.

How Does the Corrective Action Become Official?

1) Preparation of the Form 32

Once the agency head determines the final charge(s) and the recommended disciplinary action, this information is transferred to a Form 32 (Notice of Disciplinary Action, Separation, or Layoff). A summary of the administrative hearing is attached to the Form 32.

[NOTE: The details of the preparation of the form and the summary have been provided to your agency personnel section.]

The agency head then signs the form and it is forwarded to the Department of Human Resources for equity review and then the Departments of Law for legal review. The form is then sent to the appropriate Appointing Authority for approval. When the Appointing Authority has signed the form, it becomes official. It is returned to the agency and it is then served on the employee.

2) Service of a Form 32

After the Appointing Authority has signed the form, it should be served on the charged employee. There is a space on the form that requires that the service be noted. The method of delivery, date and time should be listed. The person actually serving the form should sign the form. A sample of a completed Form 32 with the accompanying hearing summary has been attached to this manual as Appendix 5. The charged employee is informed of his appeal rights (if any) before the Civil Service Commission directly on the Form 32. It is the responsibility of the employee to file any appeals or actions before the Commission within its governing rules and time limits.

The employee receives only the white (top) copy of the form. The supervisor must forward the canary copy to the Department of Human Resources with a copy of the summary of the hearing. The department and the division retain the remaining two copies of the form. For bargaining unit employees, a copy of the form must also be sent to the union as specified in the appropriate labor agreement. Please see the specific labor agreement for current information.

When Is An Administrative Hearing Not Needed?

An administrative hearing is mandatory in all cases where discipline is contemplated against a classified full-time employee. However, as with any rule, there are some exceptions. They are:

1) If the employee has been absent without leave (AWOL) for at least three consecutive working days.

In such cases, only the preparing, signing and serving (by the Appointing Authority) of a Form 32 are required for an official dismissal. It is usual practice to grant the employee an administrative hearing after the fact, if he wishes to present mitigation for being AWOL. However, until and if the agency reverses the dismissal decision, the AWOL employee is considered dismissed and should not be allowed to work.

2) If the action taken against an employee is an oral or written reprimand.

If it is the supervisor's decision to give an oral or written reprimand, no hearing is required or necessary. Normally, reprimands are given with the intent to correct the employee's behavior to avoid the need for more serious corrective action.

3) If the employee fails probation. Failure of a probationary period is not considered disciplinary in nature. The probationary period is a "test" of performance; it is the final "test" in a Civil Service examination process.

A brief overview of the Corrective Action Procedure is included as Appendix 6.

Conclusion

The corrective action process is often appropriate to use to modify unacceptable behavior. It is not a substitute for effective management practices. Such practices should correct problems before the use of the corrective action process is necessary.

The corrective action process is not to be used to intimidate employees. If it is administered properly, the corrective action process can increase the level of performance and reduce unacceptable behavior. It can assist you as a supervisor to accomplish your agency's objectives.

The Labor Relations Section of the Human Resources Department is willing and available to provide consultation and assistance to you regarding discipline and labor relations problems. Please call your agency's personnel section any time you need such information. It is far better to use the system properly the first time and obtain the desired result than to be tangled up in the technical mistakes. Know what to do before you act.